

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

3M INNOVATIVE PROPERTIES  
COMPANY and DYNEON LLC,

Plaintiffs/Counterclaim  
Defendants,

v.

DUPONT PERFORMANCE  
ELASTOMERS, LLC,

Defendant/  
Counterclaimant.

Civil No. 0:03-cv-3364 (MJD/AJB)

**ORDER**

The parties agreed and have filed a Stipulation Regarding the Supplementation of the Expert Report of Lisa A. Dolak and Jeffrey A. Lindeman, and the Expert Report of Larry S. Nixon on November 9, 2006 (Docket No. 368). The parties jointly request that the Court enter an order consistent with the parties' stipulation.

IT IS HEREBY ORDERED that:

1. On or before November 10, 2006, defendant may submit a supplemental report by Lisa A. Dolak and Jeffrey A. Lindeman to address only the effect of the reexamination proceedings involving U.S. Patent No. 6,277,919 B1 ("the '919 patent") on the opinions set forth in their original report.

2. On or before December 1, 2006, plaintiffs may submit a supplemental report by Larry S. Nixon to address only the effect of the reexamination proceedings involving the '919 patent on the opinions set forth in his original report.

3. Defendant agrees to inform Plaintiffs as to what expert (Ms. Dolak or Mr. Lindeman) it expects to testify in its case in chief no later than December 1, 2006, and to make that expert available for deposition (if necessary) between December 4, 2006 and December 22, 2006. Plaintiffs agree to make Mr. Nixon available for deposition (if necessary) during that same time period.

**IT IS SO ORDERED.**

Dated: November 13, 2006

\_\_\_\_s/ Arthur J. Boylan\_\_\_\_\_  
Arthur J. Boylan  
U. S. Magistrate Judge